

Your Exam Content Outline

The following outline describes the content of one of the South Carolina insurance examinations. The examination will contain questions on the subjects contained in the outline. The percentages indicate the relative weight assigned to each section of the examination. For example, 10 percent means that 6 questions will be drawn from the section on a 60-question exam, 10 will be drawn on a 100-question exam and 15 will be drawn on a 150-question exam.

South Carolina Examination for Professional Bondsman/Runner Series 19-16

60 questions – One-hour time limit

1.0 Insurance Regulation 10%

1.1 Licensing

- Director's general duties and powers (38-53-20)
- Process (38-53-80, 90)
- Persons to be licensed (38-53-80, 190)
- Types of licensees
 - Professional bondsman (38-53-10(9))
 - Accommodation bondsman (38-53-10(1))
 - Surety bondsman (38-53-10(12))
 - Runner (38-53-10(10))
- Requirements
 - Appointment (38-53-230, 260)
 - Security deposits (38-53-270, 280, 300)
- Maintenance and duration
 - Renewal (38-53-140)
 - Continuing education (38-53-85)
 - Change of address (38-43-107)
- Disciplinary actions
 - Cease and desist order (38-57-200, 230)
 - Suspension, revocation or nonrenewal (38-53-102, 150)
 - Fines (38-53-150(B), 340)
 - Criminal charges and convictions (38-53-150(6))

1.2 Licensee regulation

- Record maintenance (38-43-250, 38-53-310)
- Record examination (38-53-320)
- Prohibited acts (38-53-170)
- Return of collateral (38-53-170(e))

1.3 Federal regulation

- Fair Credit Reporting Act (15 USC 1681–1681d)
- Fraud and false statements (18 USC 1033, 1034)

2.0 The Legal Framework 29%

2.1 Authority

- Express
- Implied
- Apparent

2.2 Contracts

- Elements of a legal contract
 - Offer and acceptance
 - Consideration

- Competent parties
- Legal purpose

- Concealment
- Fraud

2.3 Jurisdiction

- Original jurisdiction
 - Territorial
 - Subject matter
 - Personal
- Appellate jurisdiction

2.4 Terminology

- Acquit
- Adjudicate
- Bail piece
- Capital offense
- Conviction
- Custody
- Defendant
- Disposition
- Extradition
- Felony
- Fugitive
- Hearing
- Incarceration
- Indictment
- Misdemeanor
- Mittimus
- Recognizance
- Suspend
- Warrant
- Writ

3.0 Bail Bond Principles and Practices 61%

3.1 Parties to a surety bond

- Principal
 - Indemnitor for principal
 - Indemnity agreement
- Obligee
- Surety

3.2 Duties of bail bondsmen

- Premium receipt (38-53-180)
- Power of attorney (38-53-290)
- Collateral and trust obligations

3.3 Types of bonds and collateral

- Cash
- Property
- Surety
- Personal recognizance
- Out-of-county

3.4 Procedure

- Writing and underwriting bonds
- Application for bond (surety/defendant contract)
- Collateral security
- Surety contract
- Posting the bond
- Informational notice

3.5 Court procedures

- Court appearances
 - Arraignment
 - Trial
 - Appeal
- Conditions of release (38-53-250;
RL 17-15-20-40)
 - Prior to trial (RL 17-15-10)
 - After conviction — stay of execution
 - Pending appeal
- Failure to appear
- Revocation of the right to bail

3.6 Release of surety (38-53-50)

3.7 Surrender of principal (defendant)

(38-53-60, 170(e))

- Locate and arrest defendant
- Exoneration of bond
- Return of premium
- Return of collateral

3.8 Bond forfeiture (38-53-70; RL 17-15-170-180)

- Motion
- Notice to defendant and sureties
- Judgment
- Dispersal of funds
- Arrest after forfeiture